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March 12, 2024

MEMO ENDORSED

VIA ECF
The Honorable Valerie E. Caproni
United States District Judge
Southern District of New York
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, New York 10007

USDC SDNY
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Re: United States v. Figueroa, et al., 22 Cr. 582 (VEC)

Dear Judge Caproni:

In order to preserve all arguments as to the sufficiency of the evidence to convict Mr.
Olivo, we hereby move pursuant to Federal Rule of Criminal Procedure 29(c) for a judgment of
acquittal on Count One of the Superseding Indictment (Dkt. No. 61) of which Mr. Olivo was
convicted.

Application DENIED. "[V]iewing the evidence in the
light most favorable to the prosecution," the Court finds
that there is more than sufficient evidence from which a
rational trier of fact could have found that the Government
proved "the essential elements of the crime beyond a
reasonable doubt." *United States v. Taylor*, 475 F. App'x
780, 781 (2d Cir. 2012).

SO ORDERED.

[signature]

                                                        03/12/2024
HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE

Respectfully submitted,

/s/ *Kathleen E. Cassidy*
Kathleen E. Cassidy
Thomas McKay
Courtney Morphet
Victor Obasaju

cc: Counsel of record